

REMARKS

Favorable reconsideration of the claims, as amended above, is respectfully requested in view of the comments below.

Claims 1-13 are pending in the application. Claims 3, 4, 6, and 8-13 were previously withdrawn from consideration; claim 2 is canceled herein; and claim 14 is added herein. Accordingly, claims 1, 5, 7 and 14 are presented for examination on the merits.

Claims 1 and 5 have been amended to specifically define the agent as an xanthine oxidase inhibitor. Support for these amendments is found throughout the specification. New claim 14 more particularly defines the xanthine oxidase inhibitor as allopurinol, carprofen or a pharmaceutically acceptable salt thereof. The language of claim 7 has been amended to more particularly define the claimed invention as a composition comprising allopurinol, carprofen or a pharmaceutically acceptable salt thereof. Support for these amendments is found in the original claims. No new matter is added by these amendments to the claims.

Claims 1, 2 and 5 are rejected under 35 U.S.C. § 112, first paragraph. The Examiner states that the specification provides an enabling disclosure for the use of allopurinol and carprofen for treatment of hypertension. However, the Examiner asserts that the specification does not provide an enabling disclosure commensurate in scope with claims 1, 2 and 5.

This rejection is respectfully traversed as follows.

Claims 1 and 5, as amended, recite that the active agent is an xanthine oxidase inhibitor. As noted by the Examiner the specification provides examples of the use of xanthine inhibitors to treat hypertension. In particular, the specification teaches the use of two different xanthine oxidase inhibitors, allopurinol and carprofen, in the treatment of hypertension. The specification teaches that hypertension is effectively treated by lowering serum uric acid content and in

particular, demonstrates that serum uric acid content can be lowered by treatment with an xanthine oxidase inhibitor (See Figures 3A and 3B). Therefore, the specification provides an enabling disclosure of the invention of claims 1, 5, 7, and 14.

It is respectfully submitted that the amendments to the claims render the rejection of claims 1, 2, and 5 moot. It is also submitted that the amendments to claim 7 render the objection to this claim moot.

It is respectfully submitted that the present application, with claims 1, 5, 7, and 14 is in condition for allowance, an early notification thereof being earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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